

JUDGE FAILLA
 CIVIL COVER SHEET
 14 CV 6852

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

WINTER INVESTORS, LLC and JACOB FRYDMAN derivatively on behalf of ETRE FINANCIAL, LLC and on their own behalf with respect to direct claims

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Winter Investors, LLC - Wrobel Schatz & Fox LLP, 1040 Avenue of the Americas, 11th Floor, New York, NY 10018; (212) 421-8100
 Jacob Frydman (pro se) - 60 Broad St., 34th Floor, New York, NY 10004

DEFENDANTS

Scott Panzer, et. al.

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 USC 78j - violation of SEC Act 17 CFR 240.10b-5 - violation of SEC Act Rule 10b-5

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES				
CONTRACT	PERSONAL INJURY	PERSONAL INJURY <input type="checkbox"/> 310 AIRPLANE <input type="checkbox"/> 315 AIRPLANE PRODUCT <input type="checkbox"/> 316 AIRPLANE LIABILITY <input type="checkbox"/> 320 ASSAULT, LIBEL & SLANDER <input type="checkbox"/> 330 FEDERAL EMPLOYERS' LIABILITY <input type="checkbox"/> 340 MARINE LIABILITY <input type="checkbox"/> 345 MARINE PRODUCT LIABILITY <input type="checkbox"/> 350 MOTOR VEHICLE DEFAULTED <input type="checkbox"/> 355 MOTOR VEHICLE PRODUCT LIABILITY <input type="checkbox"/> 360 OTHER PERSONAL INJURY <input type="checkbox"/> 362 PERSONAL INJURY - MED MALPRACTICE	FORFEITURE/PENALTY <input type="checkbox"/> 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY <input type="checkbox"/> 365 PERSONAL INJURY PRODUCT LIABILITY <input type="checkbox"/> 388 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY PERSONAL PROPERTY <input type="checkbox"/> 370 OTHER FRAUD <input type="checkbox"/> 371 TRUTH IN LENDING	BANKRUPTCY <input type="checkbox"/> 422 APPEAL <input type="checkbox"/> 423 WITHDRAWAL <input type="checkbox"/> 690 OTHER	PROPERTY RIGHTS <input type="checkbox"/> 820 COPYRIGHTS <input type="checkbox"/> 830 PATENT <input type="checkbox"/> 840 TRADEMARK	OTHER STATUTES <input type="checkbox"/> 375 FALSE CLAIMS <input type="checkbox"/> 400 STATE REAPPORTIONMENT <input type="checkbox"/> 410 ANTITRUST <input type="checkbox"/> 430 BANKS & BANKING <input type="checkbox"/> 450 COMMERCE <input type="checkbox"/> 460 DEPORTATION <input type="checkbox"/> 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) <input type="checkbox"/> 480 CONSUMER CREDIT <input type="checkbox"/> 490 CABLE/SATELLITE TV	
<input type="checkbox"/> 110 INSURANCE <input type="checkbox"/> 120 MARINE <input type="checkbox"/> 130 MILLER ACT <input type="checkbox"/> 140 NEGOTIABLE INSTRUMENT <input type="checkbox"/> 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT <input type="checkbox"/> 151 MEDICARE ACT <input type="checkbox"/> 152 RECOVERY OF STUDENT LOANS (EXCL. VETERANS) <input type="checkbox"/> 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS <input type="checkbox"/> 160 STOCKHOLDERS SUITS <input type="checkbox"/> 190 OTHER CONTRACT <input type="checkbox"/> 195 PRODUCT LIABILITY <input type="checkbox"/> 196 FRANCHISE	ACTIONS UNDER STATUTES CIVIL RIGHTS <input type="checkbox"/> 440 OTHER CIVIL RIGHTS (Non-Prisoner) REAL PROPERTY <input type="checkbox"/> 441 VOTING <input type="checkbox"/> 442 EMPLOYMENT <input type="checkbox"/> 443 HOUSING/ ACCOMMODATIONS <input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT <input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER <input type="checkbox"/> 448 EDUCATION	PRISONER PETITIONS <input type="checkbox"/> 463 ALIEN DETAINEE <input type="checkbox"/> 510 MOTIONS TO VACATE SENTENCE 28 USC 2255 IMMIGRATION <input type="checkbox"/> 441 VOTING <input type="checkbox"/> 442 EMPLOYMENT <input type="checkbox"/> 443 HOUSING/ ACCOMMODATIONS <input type="checkbox"/> 445 AMERICANS WITH DISABILITIES - EMPLOYMENT <input type="checkbox"/> 446 AMERICANS WITH DISABILITIES - OTHER <input type="checkbox"/> 448 EDUCATION	PRISONER CIVIL RIGHTS <input type="checkbox"/> 550 CIVIL RIGHTS <input type="checkbox"/> 555 PRISON CONDITION <input type="checkbox"/> 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT	LABOR <input type="checkbox"/> 710 FAIR LABOR STANDARDS ACT <input type="checkbox"/> 720 LABOR/MGMT RELATIONS RELATIONS <input type="checkbox"/> 740 RAILWAY LABOR ACT <input type="checkbox"/> 751 FAMILY MEDICAL LEAVE ACT (FMLA) LITIGATION <input type="checkbox"/> 790 OTHER LABOR LITIGATION <input type="checkbox"/> 791 EMPL RET INC SECURITY ACT	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395I) <input type="checkbox"/> 862 BLACK LUNG (923) <input type="checkbox"/> 863 DIWC/DIWV (405(g)) <input type="checkbox"/> 864 SSID TITLE XVI <input type="checkbox"/> 865 RSI (405(g))	<input checked="" type="checkbox"/> 850 SECURITIES/ COMMODITIES/ EXCHANGE FEDERAL TAX SUITS <input type="checkbox"/> 870 TAXES (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-THIRD PARTY 26 USC 7609	<input type="checkbox"/> 890 OTHER STATUTORY ACTIONS <input type="checkbox"/> 891 AGRICULTURAL ACTS ENVIRONMENTAL MATTERS <input type="checkbox"/> 895 FREEDOM OF INFORMATION ACT <input type="checkbox"/> 898 ARBITRATION <input type="checkbox"/> 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION <input type="checkbox"/> 1950 CONSTITUTIONALITY OF STATE STATUTES
<input type="checkbox"/> 210 LAND CONDEMNATION <input type="checkbox"/> 220 FORECLOSURE <input type="checkbox"/> 230 RENT LEASE & EJECTION <input type="checkbox"/> 240 TORTS TO LAND <input type="checkbox"/> 245 TORT PRODUCT LIABILITY <input type="checkbox"/> 290 ALL OTHER REAL PROPERTY							

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
 UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
 IF SO, STATE: _____

DEMAND \$ TBD OTHER injunction JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
 JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
		<input type="checkbox"/> a. all parties represented				
		<input type="checkbox"/> b. At least one party is pro se.				

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] 3	DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4	[] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Winter Investors, LLC ~60 Broad Street, Suite 3400, New York, NY 10004

Jacob Frydman - 60 Broad Street, 34th Floor, New York, NY 10004

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

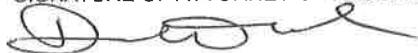
See addendum

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 8/21/2014 SIGNATURE OF ATTORNEY OF RECORD



RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
 YES (DATE ADMITTED Mo. Nov Yr. 1985)
 Attorney Bar Code # DW5242

Magistrate Judge is to be designated by the Clerk of the Court

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

[Clear Form](#)[Save](#)[Print](#)

Addendum to Civil Cover Sheet

Defendants' Addresses:

Scott Panzer – 200 Candlewood Lake Road North, New Milford, CT 06776

Paul Frischer – 80 Birch Lane, Greenwich, CT 06830

Jesse Stein – 100 Jay Street, Apt 14H, Brooklyn, NY 11201

Sol Mayer – 510 Madison Avenue, Suite 1400, New York, NY 10022

Eli Verschleiser – 3501 Avenue T, Brooklyn, NY 11201

ETRE Financial, LLC f/k/a ETRE Financial Holdings, LLC – 44 Wall Street, Second Floor, New York, NY 10005

JS3 Alternative Investments, LLC – 100 Jay Street, Apt 14H, Brooklyn, NY 11201

Frischer Kranz, Inc. – 80 Birch Lane, Greenwich, CT 06830

SMP Realty NM, LLC – 200 Candlewood Lake Road North, New Milford, CT 06776

EVE, LLC – 3501 Avenue T, Brooklyn, NY 11201

ETRE Financial Holdings, LLC – 44 Wall Street, Second Floor, New York, NY 10005

LH Financial – 510 Madison Avenue, Suite 1400, New York, NY 10022

ETR Investors Holdings, LLC – 510 Madison Avenue, Suite 1400, New York, NY 10022

ETRE Financial, LLC – 44 Wall Street, Second Floor, New York, NY 10005